

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

HENRY EDWARD BUNDY,  
Petitioner,

2:12-CV-01530-PK

ORDER

v.

MARK NOOTH,  
Respondent.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#46) on September 17, 2014, in which he recommends the Court deny Petitioner Henry Edward Bundy's Petition (#1) for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, dismiss this matter with prejudice, and deny a certificate of appealability. Petitioner filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also Dawson v. Marshall*, 561 F.3d 930, 932 (9<sup>th</sup> Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*).

In his Objections Petitioner reiterates the arguments contained in his Petition and Memorandum in Support of Petition. This Court has carefully considered Petitioner's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

#### CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#46), **DENIES** the Petition (#1) for Writ of Habeas Corpus, **DISMISSES** this matter **with prejudice**, and **DENIES** a certificate of appealability.

IT IS SO ORDERED.

DATED this 25<sup>th</sup> day of November, 2014.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge